

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF IOWA
CENTRAL DIVISION**

MATTHEW AND JONNA AUDINO,
Individually and on behalf of all others
similarly situation,

Plaintiffs,

v.

JPMORGAN CHASE BANK, N.A.,

Defendant.

Case No. 4:16-cv-00631-SMR-HCA

JOINT MOTION TO EXTEND STAY OF ACTION

Plaintiffs Matthew and Jonna Audino (“Plaintiffs”) and Defendant JPMorgan Chase Bank, N.A. (“Chase”) (collectively, the “parties”), by and through their undersigned counsel, hereby jointly move to extend the stay of the above-captioned case through March 20, 2018. In support of this Motion, the parties state good cause as follows:

1. On July 18, 2017, the Court entered a Scheduling Order setting forth deadlines for initial disclosures, adding parties, amending pleadings, and Chase’s discovery responses. *See* Dkt. 47. The Court further set telephonic status conferences for February 20, 2018, along with other conferences to occur in 2018. *See* Dkt. 47, 48.

2. On October 17, 2017, the parties filed a Joint Motion to Stay Action for 60 Days, which the Court granted on October 18, 2017, staying the matter through December 16, 2017. *See* Dkt. 65.

3. Thereafter, on November 28, 2017, the parties filed a joint motion to extend the stay, which the Court granted on November 28, 2017, staying the matter through January 31, 2018, and setting a deadline for a status report for January 31, 2018. *See* Dkt. 66, 67.

4. At the time of that joint motion, the parties had agreed to mediate this matter before the Hon. Morton Denlow (Ret.) on January 24, 2018.

5. The parties have continued to communicate regarding data and information needed to ensure that both parties are fully informed for settlement purposes and can fully participate in mediation. The parties have determined that they need additional time to investigate and gather data.

6. Additionally, an action alleging similar claims against Chase has been filed in the United States District Court for the Northern District of California, captioned *Ogles v. JPMorgan Chase Bank, N.A.*, No. 3:17-cv-06593-MMC (Chesney, J.).

7. Because of the overlapping claims and alleged classes, the parties intend that counsel for the Plaintiff in *Ogles* will participate in the mediation of this action, which will conserve time and resources for both the parties and the Court.

8. Accordingly, the parties have agreed to move the mediation before the Hon. Morton Denlow (Ret.) to March 13, 2018.

9. The parties request an additional stay of this action through March 20, 2018, and removal of the February 20, 2018 status conference from the court calendar, so that they may focus on mediation and attempt to resolve the case. The parties anticipate that they will continue to work collaboratively to exchange further information needed for mediation of this matter, and that the information exchanged will ultimately be of use in any litigation that follows if this matter is not resolved.

10. No party will be prejudiced by this stay, which the parties jointly request.

11. Further, because the only future case deadlines that have been set are status conferences, the stay will not delay the case. Accordingly, the parties propose that the January 30, 2018 status report deadline be postponed to March 20, 2018; the February 20, 2018 status conference be removed from the calendar; and the parties proceed with the scheduled status conferences thereafter, following the expiration of the stay.

WHEREFORE, Plaintiffs Matthew and Jonna Audino and Defendant JPMorgan Chase Bank, N.A. hereby request that the Court stay this action through March 20, 2018.

Dated: January 10, 2018

/s/ Ashlea G. Schwarz

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*Attorneys for Defendant
JPMorgan Chase Bank, N.A.*

CERTIFICATE OF SERVICE

I hereby certify that on January 10, 2018, a true and correct copy of the foregoing was filed with the Court using the CM/ECF system to all parties of record.

/s/ K. Issac deVyver

K. Issac deVyver